

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BLUE CASTLE (CAYMAN) LTD.,
Plaintiff,

-v-

GARNETT MILLER, *et al.*,
Defendants.

23-CV-4133 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

On December 2, 2024, the Court again ordered Plaintiff Blue Castle (Cayman) Ltd. to follow this Court's Individual Rules in Civil Cases in moving for default judgment against select Defendants. (ECF No. 57.) Rule 3J states, in relevant part:

[Plaintiff moving for default judgment must] serve the motion for default judgment and supporting papers on the party against whom default judgment is sought and file an affidavit of service on ECF within fourteen days of filing the motion for default judgment. The Court will not consider the motion for default judgment until such affidavit of service is filed. If more than fourteen days are required to complete service of the motion for default judgment and supporting papers, the plaintiff should file a letter on ECF explaining why additional time is necessary and when the plaintiff anticipates service will be completed.¹

On December 16, 2024, Plaintiff refiled its motion for default judgment. (ECF No. 58.) While it attached affidavits of service of the original complaint (ECF No. 58-3), it failed to attach any proof of service of the motion for default judgment and its supporting papers.

By January 20, 2025, Plaintiff is directed to file documentation of service of its motion for default judgment and supporting papers on Defendants against whom default judgment is sought, adhering to the instructions in the Court's Individual Rules. Given that this is the third

¹ As previously noted, the Court's Individual Rules in Civil Cases may be accessed using the following link:

https://www.nysd.uscourts.gov/sites/default/files/practice_documents/JPO%20Oetken%20Individual%20Practices%20Civil%20Cases%20February%202016%202021.pdf.

order the Court has issued on this matter, if Plaintiff continues to fail to adhere to the rules, the Court may deny Plaintiff's motion.

Plaintiff is further directed to serve a copy of this order on Defendants.

SO ORDERED.

Dated: January 8, 2025
New York, New York



J. PAUL OETKEN
United States District Judge